

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Alan Willis,

Plaintiff,

v.

Case No. 2:12-cv-604

Big Lots, Inc., et al.,

Judge Michael H. Watson

Defendants.

Magistrate Judge Jolson

OPINION AND ORDER

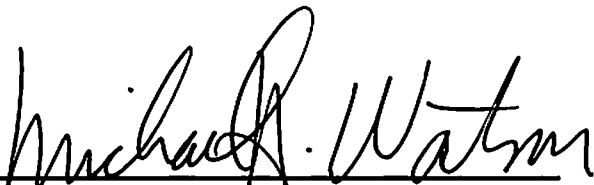
After the Court certified this securities litigation as a class action, Defendants moved to stay dissemination of notice to class members pending interlocutory appeal. Mot. Stay, ECF No. 89. The Court referred that motion to Magistrate Judge Jolson, who issued a Report and Recommendation ("R&R") recommending that the Court direct the parties to negotiate and prepare a class notice for publication and mailing but disallow dissemination of that notice until after the United States Court of Appeals for the Sixth Circuit resolves Defendants' petition for leave to appeal. R&R 6–7, ECF No. 93.

The R&R notified the parties of their right to file objections to the same pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). *Id.* at 7. The R&R further specifically advised the parties that the failure to object to the R&R within fourteen days would result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the decision of the

District Court. *Id.* The deadline for filing such objections has passed, and no objections were filed.

The Court **ADOPTS** the R&R and **ORDERS** the parties to negotiate and prepare a class notice for publication and mailing. The parties may not disseminate that notice until further order of the Court directs them to do so. If Defendants' petition for permission to appeal is granted, they may renew their motion to stay.

IT IS SO ORDERED.


MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT